
Z-2265
LL & PP LIMITED PARTNERSHIP
DAYTON COVE PLANNED DEVELOPMENT
R2 TO PDRS

STAFF REPORT
13 October 2005

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Joe Bumbleburg, is requesting rezoning from R2 to PDRS for lots 59 –76 Prestwick Manor, Section One to replat and redevelop 18 existing duplexes with exterior/interior upgrades and the addition of carports. Located west of Conjunction Street in northeast Dayton, Sheffield 4(SW) 22-3

ZONING HISTORY AND AREA ZONING PATTERNS:

The site in this case is a northern portion of Prestwick Manor Subdivision and is zoned R2. Land to the south is R1B, to the north is AW and to the east, west and further south is R1. The two most notable rezone cases in the town of Dayton were Z-1770 and Z-855 filed in 1998 and 1977 respectively, rezoning the whole community. Dayton also has two amendments to the ***Comprehensive Land Use Plan for Tippecanoe County***. The first land use study was in 1987 to plan for expected growth following Surbaru Isuzu of America's decision to locate west of I-65 near town. The second study was in 1996 to update the '87 plan following years of gradual growth and the new extension of sewer and water to the western edge of town.

AREA LAND USE PATTERNS:

This site is located in the northeast corner of Dayton on the west side of Conjunction Street. All eighteen (18) lots in this case contain a two-family unit for a total of 36 dwelling units. Single-family detached residential development, in the remaining sections of Prestwick Manor Subdivision, is immediately south and southwest. Land to the north is currently farmed. Newer residential developments near this section of Prestwick Manor are located south and southwest while older residential portions of town are located further south and southeast. The balance of town is to the south and west.

TRAFFIC AND TRANSPORTATION:

All 18 lots in this case front onto Cagles Mill Drive, an east/west urban local street, and gain access from Conjunction Street to the east or through the subdivision by Clifty Falls Lane to the south. Petitioner intends to make no changes to the existing driveways that serve the 36 rental units in this development. The one-car carports being attached to the ends of each unit would cover the existing driveway next to the residence and are open on three sides. A building restriction would prevent the carport from being enclosed in the future.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

All utilities are existing. During the replat of the development all unused utility easements would be removed. A storm drainage easement and drain line between lots 64 and 65 remains. Petitioner has agreed to provide maintenance as needed to the line between the two proposed carports on either side of the easement. A minimum separation of 7' between carports will be maintained in all instances.

STAFF COMMENTS:

Petitioner is the new owner of this existing section of government subsidized housing in Prestwick Manor Subdivision. The plan to upgrade the appearance and marketability of the 36 units includes: interior updates, exterior “curb appeal” improvements and the addition of a carport to each unit.

In all but a few instances the proposed carports would encroach on the side setback. Petitioner met with staff and discussed two options: make multiple variance requests to permit a smaller side setback for each carport or take part in the planned development rezoning process. The latter, or PD rezone, provided petitioner with the ability to resolve all the setback concerns with a single request and gave staff and town representatives the opportunity to make specific requests of the new owner.

In exchange for allowing carports to extend into the side setback petitioner has agreed to:

- Restrict the buildable area behind each unit to prevent carports from becoming enclosed garages in the future;
- Restrict the use of sheds and fences eliminating obstructions in drainage/utility easements;
- Establish a building envelope for any future additions and a maximum 30% percent coverage for each lot;
- Establish an area on the rear of Lot 71 for future recreational use;
- Establish rules that govern the temporary use of one dwelling unit as a marketing/management office as needed; and
- Adhere to a landscape plan with one street tree and a minimum of four foundation shrubs per lot.

Residential planned developments are fairly common in this county, but an existing subdivision rezoned to planned development is not. A new project, developed as a PD, provides staff and checkpoint agencies an opportunity to ask for guarantees, additions or restrictions unlike the minimum standards subdivision. But, when a development is already in place, there is little opportunity to negotiate something “extra” for the community.

In this case, we have a development in need of upgrading, a town council that supports the changes proposed by the new owner and two ways to reach the goal. On one hand, there is a process that helps the owner with changes to make the neighborhood more attractive and marketable and that would have an equal and positive effect on the whole community. On the other hand is a cumbersome process of multiple variances, little opportunity for input and a diminished positive effect. With that choice, and the owner's desire to make changes where possible, staff believes the gains made during this PD process, though small, will have a desirable result.

STAFF RECOMMENDATION:

Approval, contingent on meeting all requirements of *UZO 2-27-10* for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per *UZO Appendix B2-2*;

3. A final plat per UZO Appendix B-3-2 as applicable;
4. Appropriate performance bonds submitted with final detailed plans

Restrictive Covenants – The following items shall be part of the planned development's amendment to the existing Prestwick Manor Subdivision covenants made enforceable by the Area Plan Commission, the Administrative Officer and irrevocable by the lot owners:

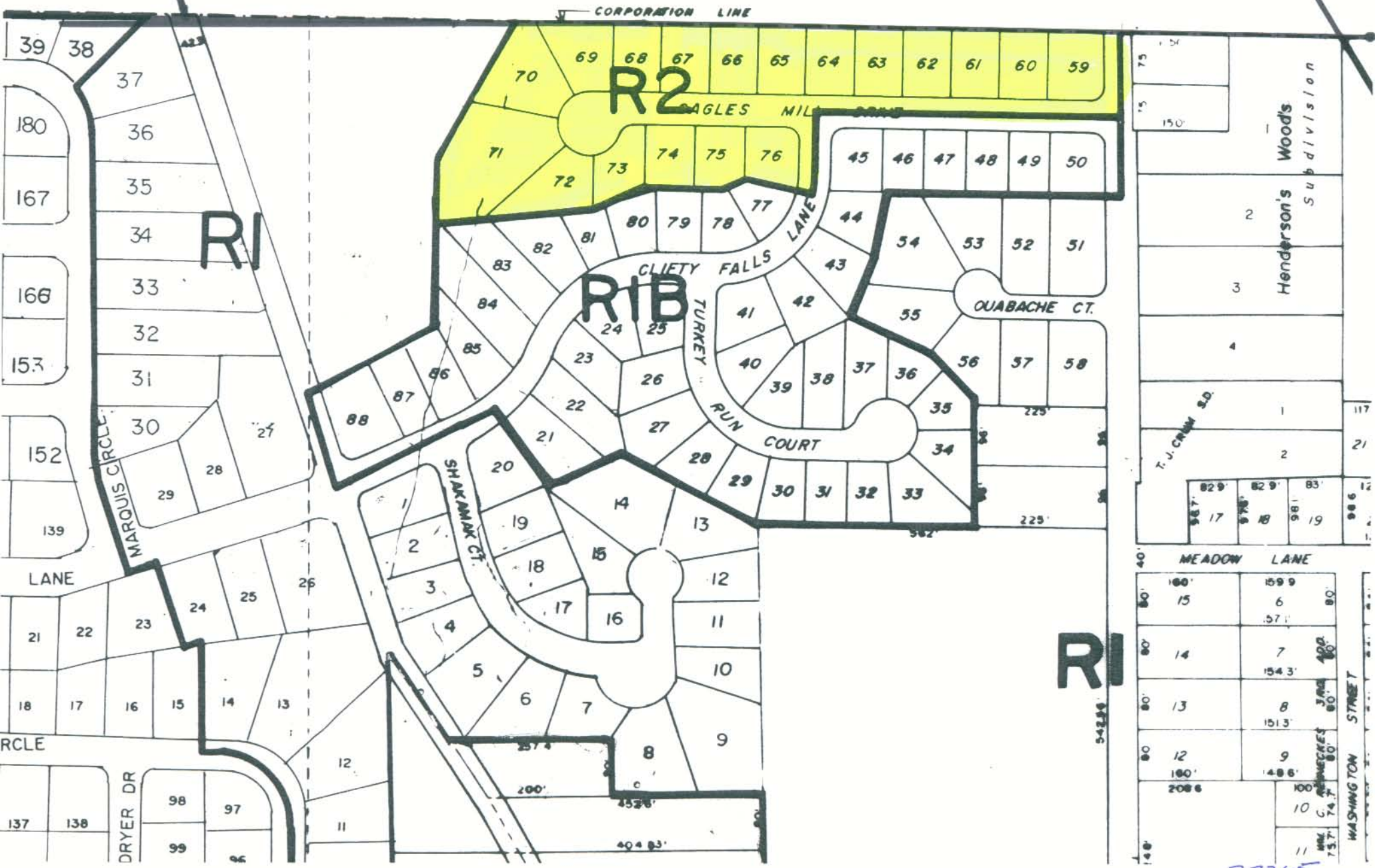
5. A restriction prohibiting conversion of carports to enclosed garages or living space;
6. A restriction prohibiting home occupations as a land use;
7. A restriction prohibiting sheds and fencing other than "invisible" fence;
8. Addition of the statement: "Notwithstanding anything to the contrary contained herein, there shall be no amendment of the Declarations, nor any change in use or exterior design without prior approval of the Tippecanoe County Area Plan Commission through the planned development process, which includes the possibility of consideration as a minor modification by the administrative officer."

ADOPTED DEC. 1-1997
ORD. NO. #97-11
EFFECTIVE JAN. 2-1998

A

AW

FP



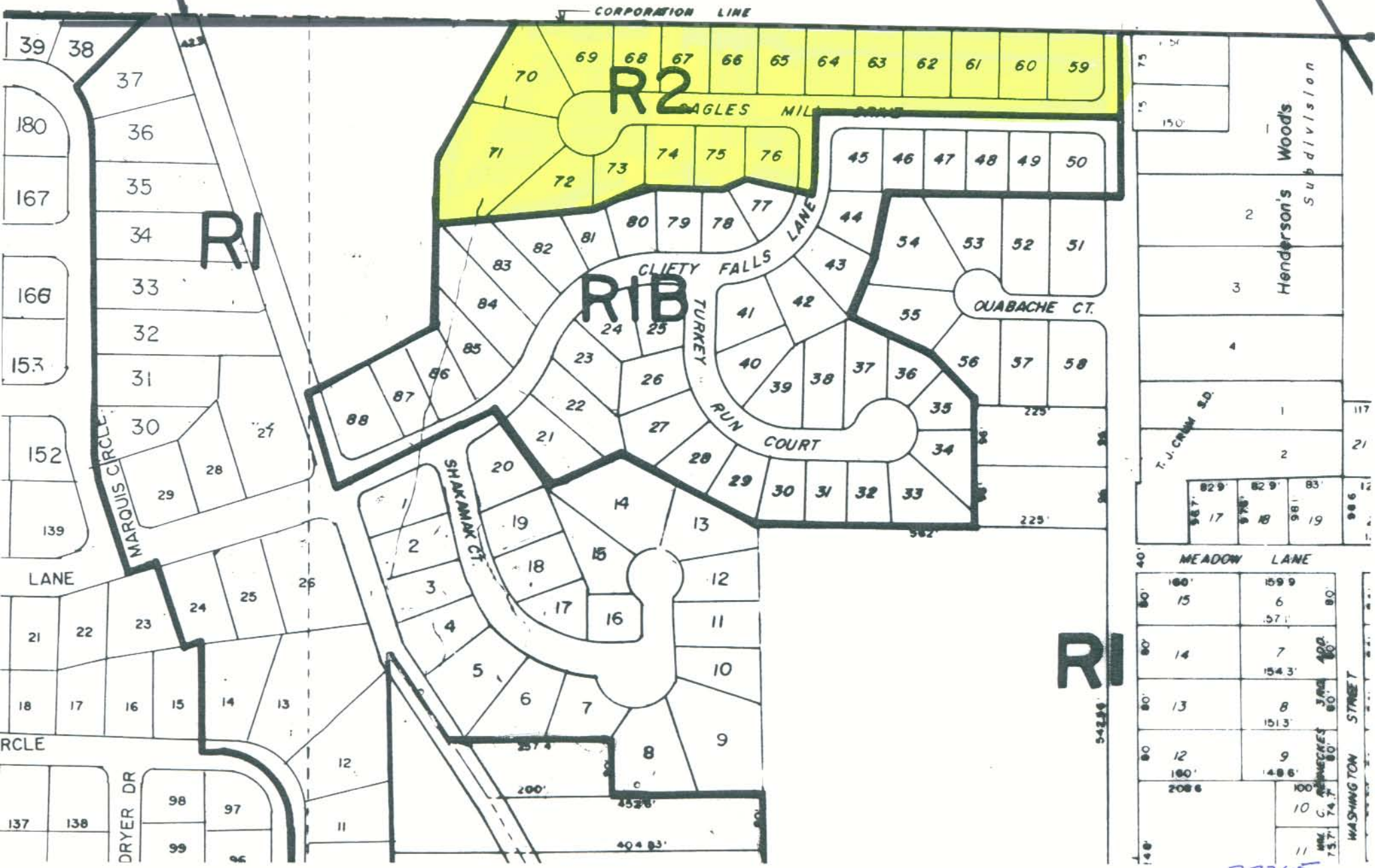
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ADOPTED DEC. 1-1997
ORD. NO. #97-11
EFFECTIVE JAN. 2-1998

A

AW

FP



22265

PLANTING LEGEND

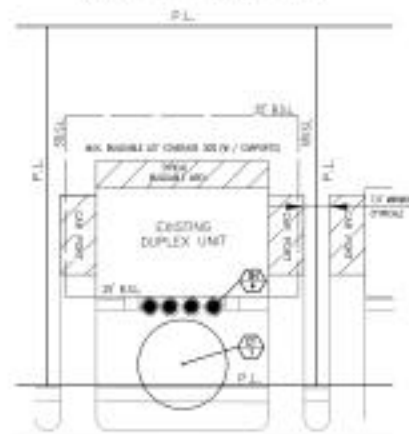


PLANTING SCHEDULE

KEY	REMARKS NAME	COMMON NAME	QTY	SIZE	COND.	REMARKS
CT		CANOPY TREE OPTIONS				
	Quercus rubra	Northern Red Oak	1	2.5"	260	
	Redbud (Fraxinus) PN 260	Shademaster Overboard	1	2.5"	260	
	Acer rubrum - Autumn Flame	Autumn Flame Red Maple	1	2.5"	260	
SH		SHRUB OPTIONS				
	Juniperus horizontalis	Creeping Juniper	4	24"	260	2' c.c.
	Euonymus alatus 'A. Nana'	Creeping Euonymus	4	12"	260	2' c.c.
	Prunella virginiana	Common Chickadee	4	12"	260	2' c.c.
	Amelanchier canadensis 'Ice Cream'	Ice Cream Amelanchier	4	12"	260	2' c.c.
	Yucca filamentosa	Yucca Filamentosa	4	12"	260	2' c.c.
	Thunbergia alata	Thunbergia Alata	4	12"	260	2' c.c.

LEGEND

B. S. L. BUILDING SETBACK LINE
D.U.E. DRAINAGE & UTILITY EXISTENCE
P.L. PROPERTY LINE
A. T.S. B. STREET NO. & UNIT DESIGNATION
H/C UNIT HANDICAP ACCESSIBLE UNIT



TYPICAL LOT PLANTING / CONSTRUCTION DETAIL

SCALE: 1" = 10' NOTE: CONSTRUCTION SHALL BE TO VERIFY ALL SHOWN PLANTING ON EACH LOT UNIT. (DO NOT UNLESS IF ALL REQUIRED PLANTING IS NOT SHOWN IN PLACE)

HOLEY MOLEY SAYS

DON'T
DIG
BLIND

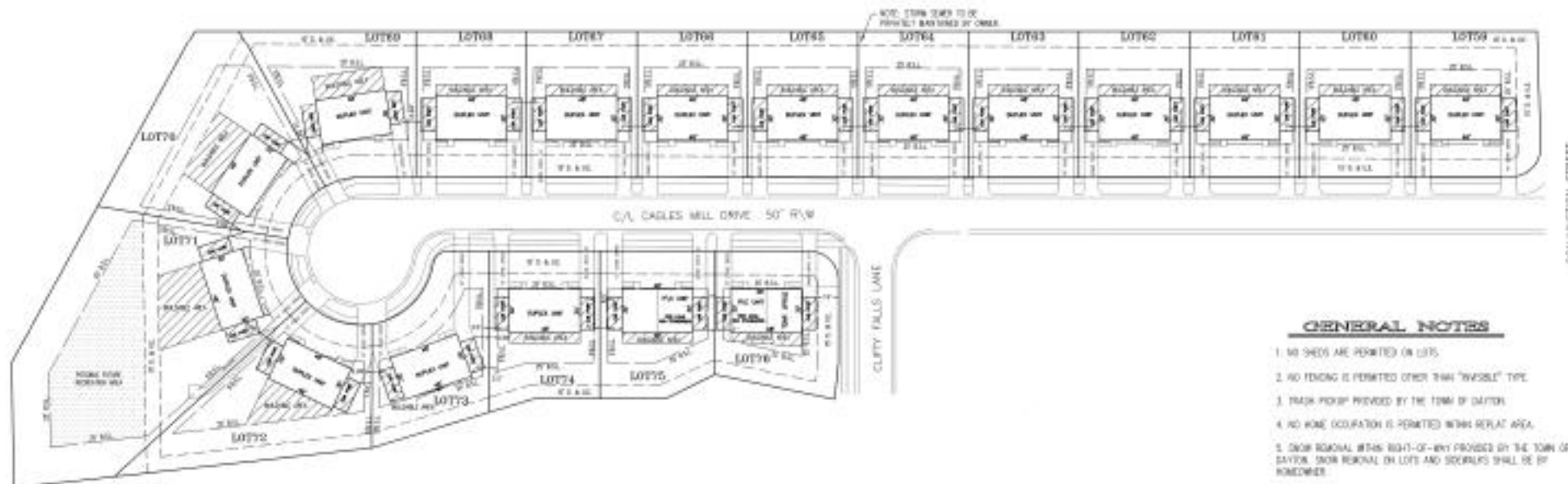


IT'S THE LAW
CALL A MOWER AND MOW THE LAWN
1-800-382-5544

FOR MORE INFO CALL 1-800-382-5544
IF A MOWER IS NOT AVAILABLE
WE WILL BE GLAD TO OBTAIN
LOCATIONS FOR NO OF MOWERS
DUTY BEFORE CONSTRUCTION



BASE INFORMATION PROVIDED BY:
WEBER LS&C
9011 FRONT STREET
FT. WAYNE, IN 46818
(260) 385-0615



GENERAL NOTES

- NO SHEDS ARE PERMITTED ON LOTS.
- NO FENCING IS PERMITTED OTHER THAN "VISIBLE" TYPE.
- TRASH PICKUP PROVIDED BY THE TOWN OF DAYTON.
- NO HOME OCCUPATION IS PERMITTED WITHIN REFRAT AREA.
- SNOW REMOVAL WITHIN RIGHT-OF-WAY PROVIDED BY THE TOWN OF DAYTON. SNOW REMOVAL ON LOTS AND DRIVEWAYS SHALL BE BY HOMEOWNER.
- PROPOSED CARPORTS SHALL NOT BE ENCLOSED BY HEEDS ONTO WEA SHEDS. CARPORTS SHALL BE OPEN ON THREE SIDES AT ALL TIMES.
- BUILDING AREA, MAXIMUM COVERED BY ALL BUILDINGS (INCLUDING CARPORTS) NOT TO EXCEED 50% PER LOT.
- A TEMPORARY OFFICE FOR MANAGEMENT IS SHOWN ON THE SITE PLAN. FROM TIME TO TIME THIS TEMPORARY OFFICE MAY BE OPERATED IN ANY BUILDING SPACE FOR THE PURPOSE OF PROVIDING ON SITE MANAGEMENT.

DAYTON COVE
PLANNED DEVELOPMENT
SUNCO DESIGN

LL & BK LIMITED PARTNERSHIP
P.O. BOX 703, MARSH, MISSISSIPPI 38906

DATE: 9/28/01	PROJECT NO: 5555.001
DRAWN BY: JAB	CHECKED BY: BFW
SHEET NO: PRELIMINARY SITE LAYOUT PLAN	
<small> 1. OF THIS SET: 1. SITE PLAN (THIS SHEET) 2. OF THIS SET: 2. CONSTRUCTION DETAILS 3. OF THIS SET: 3. CONSTRUCTION DETAILS </small>	

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